CLASSIFICATION OFFICE DECISION

Title of publication:	23.JPG
Other known title(s):	Not stated
OFLC ref:	1000141.000
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	English
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	03 March 2010
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file is deemed objectionable because it promotes and supports the exploitaiton of children for sexual purposes. It does this by depicting a naked pre-pubescent girl with her genitals prominently suggesting her sexual availability. For those with a sexual interest in children, the publication serves to legitimise and encourage that interest.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.